

Message

---

**From:** Olinger, Keith [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8AECC4FCF63E4F6FBC75B3F4CEFF44A3-KOLINGER]  
**Sent:** 4/15/2021 12:42:59 AM  
**To:** Michael Fox [mfox@toeroek.com]; 'traci garner;tgarner@toeroek.com' [tgarner@toeroek.com]  
**Subject:** FW: LA RWQCB Ocean Dumping Report 1985 - Enforcement Confidential

fyi

---

**From:** Lyons, John <Lyons.John@epa.gov>  
**Sent:** Wednesday, April 14, 2021 5:31 PM  
**To:** Olinger, Keith <Olinger.Keith@epa.gov>  
**Cc:** Zhang, Xiao <Zhang.Xiao@epa.gov>; Helmlinger, Andrew <Helmlinger.Andrew@epa.gov>; Henning, Loren <Henning.Loren@epa.gov>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985 - Enforcement Confidential

Thank you Keith!

I will review this in the am but in scanning it – great work!  
Will be back in touch later in the week,  
Thanks to you and the Toerek folks!  
John

John Lyons  
Acting Deputy Director  
Region 9 Superfund and Emergency Management Division  
(415) 972-3889

Ex. 6 Personal Privacy (PP) (cell)

---

**From:** Olinger, Keith <Olinger.Keith@epa.gov>  
**Sent:** Wednesday, April 14, 2021 4:31 PM  
**To:** Lyons, John <Lyons.John@epa.gov>  
**Cc:** Zhang, Xiao <Zhang.Xiao@epa.gov>; Helmlinger, Andrew <Helmlinger.Andrew@epa.gov>; Henning, Loren <Henning.Loren@epa.gov>  
**Subject:** FW: LA RWQCB Ocean Dumping Report 1985 - Enforcement Confidential

Afternoon John –

## Ex. 5 Deliberative Process (DP)

After your review of Michael's email below **please advise if you would like us to proceed**. Note, the table with the deposition findings below is the same as I sent you yesterday, however it is cleaned up for readability.

Regards,

Keith

Keith O  
415-972-3125  
[Olinger.Keith@epa.gov](mailto:Olinger.Keith@epa.gov)

---

**From:** Michael Fox <[mfox@toeroek.com](mailto:mfox@toeroek.com)>  
**Sent:** Wednesday, April 14, 2021 4:05 PM  
**To:** Olinger, Keith <[Olinger.Keith@epa.gov](mailto:Olinger.Keith@epa.gov)>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985 - Enforcement Confidential

Hi Keith,

# Ex. 5 Deliberative Process (DP)

# **Ex. 5 Deliberative Process (DP)**

# **Ex. 5 Deliberative Process (DP)**

# **Ex. 5 Deliberative Process (DP)**

# Ex. 5 Deliberative Process (DP)

Best,  
Michael

---

**Michael Fox**  
Direct: 510-899-4608  
Mobile: 510-410-5422  
[www.toeroek.com](http://www.toeroek.com)

---

**From:** Olinger, Keith [<mailto:Olinger.Keith@epa.gov>]  
**Sent:** Tuesday, April 13, 2021 11:46 AM  
**To:** Michael Fox <[mfox@toeroek.com](mailto:mfox@toeroek.com)>  
**Cc:** Traci Garner <[tgarner@toeroek.com](mailto:tgarner@toeroek.com)>; Sandra Valle <[svalle@toeroek.com](mailto:svalle@toeroek.com)>  
**Subject:** FW: LA RWQCB Ocean Dumping Report 1985 - Enforcement Confidential

Thanks Michael!

---

**From:** Olinger, Keith  
**Sent:** Tuesday, April 13, 2021 11:43 AM  
**To:** Lyons, John <Lyons.John@epa.gov>; Helmlinger, Andrew <Helmlinger.Andrew@epa.gov>  
**Cc:** Henning, Loren <Henning.Loren@epa.gov>; Zhang, Xiao <Zhang.Xiao@epa.gov>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985 - Enforcement Confidential

CONTAINS SPII

Hi John,

## Ex. 5 Deliberative Process (DP)

who had the responsibility to operate the DP plant.

Keith O  
415-972-3125  
[Olinger.Keith@epa.gov](mailto:Olinger.Keith@epa.gov)

---

**From:** Lyons, John <Lyons.John@epa.gov>  
**Sent:** Tuesday, April 13, 2021 11:15 AM  
**To:** Olinger, Keith <Olinger.Keith@epa.gov>; Helmlinger, Andrew <Helmlinger.Andrew@epa.gov>  
**Cc:** Henning, Loren <Henning.Loren@epa.gov>; Zhang, Xiao <Zhang.Xiao@epa.gov>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985 - Enforcement Confidential

Thanks Keith – this is super helpful. Can you pull text from the deposition about who Bratter was and what he did for Montrose? That would be very helpful to add context.

Great work!  
John

John Lyons  
Acting Deputy Director  
Region 9 Superfund and Emergency Management Division  
(415) 972-3889

Ex. 6 Personal Privacy (PP) (cell)

---

**From:** Olinger, Keith <Olinger.Keith@epa.gov>  
**Sent:** Tuesday, April 13, 2021 11:12 AM  
**To:** Helmlinger, Andrew <Helmlinger.Andrew@epa.gov>; Lyons, John <Lyons.John@epa.gov>  
**Cc:** Henning, Loren <Henning.Loren@epa.gov>; Zhang, Xiao <Zhang.Xiao@epa.gov>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985 - Enforcement Confidential

Enforcement Confidential

Hi John,

From our brief phone call late yesterday it sounded like you had a meeting with upper management (?) today so I thought I would share with you right away. I'm sure it all rings a bell to you.

**Ex. 5 AC/DP**



# **Ex. 5 AC/DP**

# **Ex. 5 AC/DP**

Keith E. Olinger, Enforcement Officer  
CERCLA Enforcement Section, Case Development  
75 Hawthorne Street, SFD 7-5  
San Francisco, CA 94105  
415-972-3125  
[olinger.keith@epa.gov](mailto:olinger.keith@epa.gov)

---

**From:** Olinger, Keith  
**Sent:** Monday, April 12, 2021 6:44 PM  
**To:** Helmlinger, Andrew <[Helmlinger.Andrew@epa.gov](mailto:Helmlinger.Andrew@epa.gov)>  
**Cc:** Henning, Loren <[Henning.Loren@epa.gov](mailto:Henning.Loren@epa.gov)>; Lyons, John <[Lyons.John@epa.gov](mailto:Lyons.John@epa.gov)>; Zhang, Xiao <[Zhang.Xiao@epa.gov](mailto:Zhang.Xiao@epa.gov)>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985

Another article on this. I'm working on this and hopefully will have a response on Thursday.

<https://www.cbsnews.com/news/california-environmental-disaster-ocean-ddt-sea-lions/>

---

**From:** Olinger, Keith  
**Sent:** Thursday, April 8, 2021 2:06 PM  
**To:** Helmlinger, Andrew <[Helmlinger.Andrew@epa.gov](mailto:Helmlinger.Andrew@epa.gov)>  
**Cc:** Henning, Loren <[Henning.Loren@epa.gov](mailto:Henning.Loren@epa.gov)>; Lyons, John <[Lyons.John@epa.gov](mailto:Lyons.John@epa.gov)>; Zhang, Xiao <[Zhang.Xiao@epa.gov](mailto:Zhang.Xiao@epa.gov)>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985

Thanks for the call John, I have enough to go on now and we will talk next week after I look at the Operation History more closely, and see what, if anything I can corroborate from the Depos.

Keith

---

**From:** Olinger, Keith  
**Sent:** Thursday, April 8, 2021 1:07 PM  
**To:** Helmlinger, Andrew <[Helmlinger.Andrew@epa.gov](mailto:Helmlinger.Andrew@epa.gov)>  
**Cc:** Henning, Loren <[Henning.Loren@epa.gov](mailto:Henning.Loren@epa.gov)>; Lyons, John <[Lyons.John@epa.gov](mailto:Lyons.John@epa.gov)>; Zhang, Xiao <[Zhang.Xiao@epa.gov](mailto:Zhang.Xiao@epa.gov)>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985  
**Importance:** High

Hi Andrew/John,

**Ex. 5 AC/DP**

# Ex. 5 AC/DP

Thanks,

Keith

## Ex. 5 AC/DP

&

### Ex. 6 Personal Privacy (PP)

Keith O  
415-972-3125  
[Olinger.Keith@epa.gov](mailto:Olinger.Keith@epa.gov)

---

**From:** Lyons, John <[Lyons.John@epa.gov](mailto:Lyons.John@epa.gov)>  
**Sent:** Tuesday, April 6, 2021 5:12 PM  
**To:** Olinger, Keith <[Olinger.Keith@epa.gov](mailto:Olinger.Keith@epa.gov)>  
**Cc:** Henning, Loren <[Henning.Loren@epa.gov](mailto:Henning.Loren@epa.gov)>; Helmlinger, Andrew <[Helmlinger.Andrew@epa.gov](mailto:Helmlinger.Andrew@epa.gov)>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985

Thanks Keith!

There is not a SSID for this (at least yet).

And yes, bet to communicate with Andrew and cc Loren and me.

Thank you

John

John Lyons  
Acting Deputy Director  
Region 9 Superfund and Emergency Management Division  
(415) 972-3889

Ex. 6 Personal Privacy (PP) (cell)

---

**From:** Olinger, Keith <[Olinger.Keith@epa.gov](mailto:Olinger.Keith@epa.gov)>  
**Sent:** Tuesday, April 6, 2021 5:09 PM  
**To:** Lyons, John <[Lyons.John@epa.gov](mailto:Lyons.John@epa.gov)>  
**Cc:** Henning, Loren <[Henning.Loren@epa.gov](mailto:Henning.Loren@epa.gov)>; Helmlinger, Andrew <[Helmlinger.Andrew@epa.gov](mailto:Helmlinger.Andrew@epa.gov)>  
**Subject:** RE: LA RWQCB Ocean Dumping Report 1985

Thanks John,

I'm on it. Got three (3) emails from you including the one below. Once I digest I'll get back with questions to either you or Andrew.

Should I report directly to Andrew with my preliminary findings/questions and copy Loren and yourself? I can remove you and Loren off the emails until I have a more formal assessment per our discussion this afternoon. I'll target a preliminary assessment to **start** and "perfect the narrative" by late next week.

What is the SSID and OU for this? I'll ask Anabel to load in my PPL.

Best,

Keith

Keith O  
415-972-3125  
[Olinger.Keith@epa.gov](mailto:Olinger.Keith@epa.gov)

---

**From:** Lyons, John <[Lyons.John@epa.gov](mailto:Lyons.John@epa.gov)>  
**Sent:** Tuesday, April 6, 2021 3:39 PM  
**To:** Olinger, Keith <[Olinger.Keith@epa.gov](mailto:Olinger.Keith@epa.gov)>  
**Cc:** Helmlinger, Andrew <[Helmlinger.Andrew@epa.gov](mailto:Helmlinger.Andrew@epa.gov)>; Henning, Loren <[Henning.Loren@epa.gov](mailto:Henning.Loren@epa.gov)>  
**Subject:** LA RWQCB Ocean Dumping Report 1985

John Lyons  
Acting Deputy Director  
Region 9 Superfund and Emergency Management Division  
(415) 972-3889

Ex. 6 Personal Privacy (PP) (cell)